COURT OF APPEALS RELIEVES OWN-ERS OF PARK PROPERTY.

DECIDED IMPORTANT CASE

TAX BILLS AGAINST LAND CON-DEMNED FOR PARKS.

Board of Trade Sustained in Its Liti gation With F. A. Farmer-Steadley is Recorder of Jasper County-Other De-

Tax bills issued against property after It has been condemned by the city for park purposes but before damages have been paid to the owner are payable by the city and not by the private owner. This was the decision of the court in the case of E. L. and W. C. Scarritt vs. Michael Ross and J. R. Childers, paving contractors.

By the verdict of a condemnation jury rendered September 28, 1856, the Scarritt brothers were allowed \$12,610 for a piece of property at the intersection of the Pasco and Fifteenth street. Before this money was paid to them, thereby finally vesting the title to the property in the city, Fifteenth street was paved and tax bills amounting to \$600 were issued. It was argued by the Scarritts that as the improve ment was not taken into account by the majority of one vote, receiving 123 votes as jury in awarding the damages, they ought against 122 votes for John M. Lang, his opnot to be held for it. The case was tried ponent. Jasper county has been all agog in the circuit court and resulted in a verdict for the Scarritts. The contractors appealed, and the appellate court affirmed the

Recalls a Shooting. An accident insurance case which recalls

the shooting of Nicholas Smith by Charles Biggs, at Sheffield December 23, 1894, was ed upon by the court of appeals. Lavina Hester, who was then the wife of Smith, sued the Fidelity and Casualty Company, of New York, on a \$1,500 policy her husband at the time he was killed. At the trial in the circuit court the insurance company tried to make it appear that Smith had armed himself and gone to seek trouble with his slayer. The jury, nevertheless, gave Mrs. Hester a verdict for \$1,734.50 and the company appealed. The court of appeals affirmed the decision of the lower court.

Farmer Loses His Suit.

The injunction proceedings of F. A. Farmer to prevent the Kansas City board of trade from expelling him for violation of one of its rules was decided in favor of the board of trade, in the court of appeals yesterday.

Farmer bought \$2,172 worth of wheat from Perine Brothers also members of the board of trade. In part payment he presented a note for \$1,050 made by Charles H. Comstock to Perine & Hale. It was a disputed demand and Perine Brothers refused to accept it, claiming that they supposed the transaction. Farmer refused to replace the note with cash and the matter was taken by Perine Brothers before the board of trade.

Farmer got a temporary restraining or-

Note that the response of the transaction was to be a strictly present the noise with cash and the matter was taken by Perine Brotten's Before the the noise with cash and the matter was taken by Perine Brotten's Before the the noise with cash and the matter was taken by Perine Brotten's Before the the noise with cash and the matter was taken by Perine Brotten's Before the Company, respondent by Perine Brotten's Before the Company of the

Alms Gets \$1,245.

A judgment awarding \$1,245 damages to

Herman Alms because a house fell upon him, was affirmed by the court of appeals. him, was affirmed by the court of appeals. The house was a rickety old frame structure, at Fourieenth and Grand avenue. It belonged to Thomas Conway. Alms was walking by there one day in April, 1837, when the front of the building fell sprawling across the street, striking Alms in its downward career. Mr. Conway claimed the building was strong, but that an extraordinary wind storm caused the front to fall. When Stolen Money Isn't Recoverable

Stolen money paid to a third person for a valuable consideration cannot be recovered from that person by the one from whom from that person by the one from whom the money was stolen. The court of appeals so decided in reversing the decision of the circuit court in the case of Johanna E. Courtial vs. Emanuel Lowenstein.

In July, 1888. Mrs. Courtial had \$6,000 concealed in a trunk at her home in Kansas City. It was the proceeds of the sale of her separate property. Her husband took the

Makes the food more delicious and wholesome

BOYAL BAKING POWDER CO., NEW YOR

money, went to Europe and after a sojourn there of one year, returned to Kansas City. Soon after his return he got into trouble of some kind and Lowenstein secured ball for court, and others to quash the reindiction for this Courtial paid Lowenstein \$500. Not long afterwards Mr. and Mrs. Courtial became reconciled and Mrs. Courtial began suit to recover the \$500 from Lowenstein on the ground that it was part of the sum taken by her husband.

new, made a motion that Judge Longan, of Sedalia, who presided at the former trial, preside again. This was overruled by the court, and others to quash the reindiction to Judge Shackleford's jurisdiction, met the same fate. Prosecutor Reed made an ineffectual attempt to have Goddard recommitted to jail. He has been out on bond for over a week.

Is Against Wife Benters.

The decision of Judge Jackson L. Smith in the case of Mrs. Sarah E. Tripp, who was denied a divorce from Martin F. Tripp was denied a divorce from Martin F. Tripp by the Cole county circuit court, shows that he has no patience with a man who maltreats his wife. He sternly reversed the decision of the power court and held that Mrs. Tripp was entitled to a divorce. "Her own testimony and that of two of her children," said Judge Smith in his opinion, "amply proved every allegation of her petition. The plaintiff a woman of good repute, but frail and delicate in health, was according to the undisputed testimony, subjected by her husband to a long catalogue of indignities which we think were well calculated to render her condition intolerable. The coarse and brutal tyranny which the testimony shows, characterized the defendant's demeanor towards the plaintiff inds no countenance in the law touching the relation of husband and wife."

Steadley Gets the Office.

Steadley Gets the Office.

Jasper county's recorder of deeds is Fred M. Steadley. He was elected to it by a over this dispute ever since the election, and when the news reached there last night the town was as turbulent as it is on the day after election. A second ratification was held and plenty of good liquor drank. The fault of failing to count the extra vote lay with the canvassing board, which claimed to have examined the tally sheets and found it was a tie. The court of appeals says concerning this:

"In this state the duty of the canvassing board is purely ministerial. It only casts up the vote certified to by the judges and clerks of election. It cannot refer to the tally sheets, and if it does it may be compelled by mandamus to count the return as certified."

Full List of Opinions.

full list of opinions was as follows: By Presiding Judge Smith: C. N. Comstock, appellant, vs. J. Layer, respondent; Nodaway county; reversed with

H. C. L. Meyer, respondent, vs. W. T. Jackson, appellant; Morgan county; af-

State ex rel J. Stone, guardian, respond-nt, vs. Grand lodge A. O. U. W., appelent, vs. Grand lodge A. O. U. W., appel-lant: Jackson county; reversed and re-manded with directions to dismiss.

TO THE SUPREME COURT. ounsel for Dr. Goddard Contends

That Judge Shackleford Has No Jurisdiction.

The third trial of Dr. J. D. Goddard for the murder of Fred J. Jackson seems about as far off as ever. Yesterday in the criminal court Judge Dorsey W. Shackleford, of Booneville, who is a special judge in the case, overruled four motions made by the attorneys for the defense and set the case

BROUGHT \$25,300.

Bankrupt Stock of L. H. Fielding & Co. Sold to Emery, Bird,

20.455.

After the sales were concluded the entire stock was sold in one lump lot, Marshal Durham stating that if the amount of the lump bid exceeded the aggregate of the sales in lots, the bulk bid would be accepted in preference to the others. The first bid offered for the total stock was \$21,000, and the bidding grew quite spirited, the principal competitors being Emery, Bird, Thayer & Co. and Clayton & Smith, of St. Joseph. The stock was finally knocked down to Emery, Bird, Thayer & Co. for \$25,300.

FRIENDLICH EXONERATED.

ndictments Against Him Quashed by Judge Wofford, of the Criminal Court.

Emanuel Friendlich, once proprietor of the "Big Kansas City Store," at Thirteenth street and Grand avenue, was vindicated in the criminal court yesterday of the charge of obtaining money under false pretenses. Judge Wofford quashed the indictments against him on the ground that the offense alleged did not constitute a

crime.

Friendlich was indicted on five counts more than a year ago, shortly after the fallure of Gumbiner & Friendlich. It was charged that he secured money from the Union National bank, but as it was shown that he merely secured extensions of his notes, Judge Wofford held that no crime had been committed. It is stated that suit for malicious prosecution will be brought for a larke amount, Friendlich is now in Galena, Kas.

Joseph Rallroad Company. They sue for the death of their tather, who was killed by a Hannibai & St. Joseph train February 12. 1898.

The children are between the ages of 2 and 15 years. They have a year after the accident in which to bring suit. As the year expires this week, the suit is brought

Dramshop Licenses.

Dramshop licenses.

Dramshop licenses were granted to the following saloonkeepers by the county court yesterday:

J. W. Hasman, 423 West Fifth street,
John Teely, Fifth and Broadway.
Peter Nelson, 591 East Eighteeatn.
Al H. Wheeler, 591 East Twelfth.
Barney Yulkenbeck, 491 East Nineteenth.
J. W. Cocley, 528 Lydia avenue.
John C. Schutt, 2320 Grand avenue.
McGlinn Bros., 309 Walnut street.
P. J. Hederman, 1114 Walnut street.

Kelly Plends Not Guilty.

was due to an alleged "poor delivery." was arraigned before Justice Walls. Kelly is a teamster for a transfer company and was charged with making way with about \$50 worth of goods he was delivering for the Ridenour-Baker Grocery Company. He pleaded not guilty to the charge of grand larceny, and his hearing was set for the 14th. Jim Kelly, whose arrest Saturday night

Hancock Hearing Postponed.

The hearing of S. F. Hancock, cashler of the Planters' bank, on a charge of receiving deposits after the bank was known to be in a failing condition, was given another continuance yesterday. When the case was called before Justice Spitz, the attorney for the defendant, Mr. Blair, was unable to be present and continuance was granted until Saturday.

Ninth 5 Per Cent Dividend.

The ninth 5 per cent dividend will be paid by the defunct National Bank of Kansas City to-morrow. John Perry, receiver, got word from Comptroller Dawes, yesterday, that the dividend had been declared. This will make 90 per cent of the claims that have been paid to depositors, amounting altogether to \$808.721.

County Road to Be Extended. The Lone Jack and Lee's Summit macadamized road is to be extended two miles farther east and south to Cockrell. The order for the extension was made by the county court, yesterday, John May, the contractor who is already at work on the road for the county, was given the contract for the farther extension.

Federal Prisoner in County Jail. Deputy United States Marshal H. C. Miller yesterday brought to the county jall Clarence Welsh, who has been confined in the jall at St. Joseph on a charge of robbing the mails. Welsh is in very poor health and the change was ordered by the federal court.

The Standard Couch Company, capital stock \$5,000, filed articles of incorporation

yesterday.

Nancy A, Logan was ordered to be sent to the St. Joseph insane asylum by the county court yesterday.

The Swedish Evangelical Lutheran Emanuel church, of Kansas City, applied for a decree of incorporation in the circuit court to the St. Joseph insane asylum by the county court yesterday.

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The Maclean Farmers' Supply Company,

The Maclean Farmers' Supply Company,

1885. 1421 Walnut.

southeast corner of Eleventh and Liberty streets, made an assignment to H. C. Mor-rison, yesterday, for the benefit of credi-tors. Its liabilities are \$1,500. John Shaffer, janitor of the Washington Street Methodist church, was arrested yesterday on the charge of attempting to assault the 7-year-old daughter of J. M. Tibbals, while she was in the church. He was held in \$5,000 bond by Justice Ross. Mr. Tibbals is electrician of the American Bank bullding.

The preliminary hearing of Leonard Imboden, for the Planters' bank deal, was continued by Justice Ross, when the case was called yesterday morning, until next Friday afternoon. The prisoner's bond was reduced to \$5,000, but, being unable to give it, he was returned to the county jail, His attorney is J. J. Williams.

CONNECTIONS AT CROSSINGS. Railroad Commissioner McCully Gives Reasons for Advocating the Wight Bill.

'The bill in the legislature I am more interested in than any other provides for train conections at railroad crossings for the convenience of the traveling public," said Railroad Commissioner William E. McCully, of Macon, yesterday at the Coates. "A change in the time schedule of a few minutes on several lines in the state would allow passengers to change from one line to another and avoid delays of many hours. Of course it is meant to apply only to local trains. It would not interfere in any way with the through trains, whose schedules are arranged for important connections at the ends of the di-

visions.
"An instance where a beneficial change could be made is at Clark, the junction of the Alton and the Wabash roads. A difference of eighteen minutes in the time of arrivals of two trains at that point the control of the passengers who of arrivals of two trains at that point makes it necessary for passengers who wish to change to lie over twenty-four hours. We have had numerous requests from people from all parts of the state to have changes made in the time schedules of various roads which would be of great benefit to the public in this way. We have to inform them that the matter is outside our jurisdiction. The roads pay little or no attention to patrons who write them about the matter. The commissioners have brought the subject to the attention of some of the roads, with a request that the changes be made, but I do not know of a single instance where it ever accomplished single instance where it ever accomplished

anything.
"The bill was presented by William Wight, of Randolph. It leaves the matter Wight, of Randolph. It leaves the matter of changes wholly to the discretion of the commissioners. No arbitrary rule could be made in such a matter. The commissioners would have to be governed by a great many conditions in executing the spirit of the conditions in executing the spirit of the law. I recognize the fact that railroads are a part of the state which I represent as a whole, and their rights must be protected as well as those of any other property or industry. Such a law does not mean that they will be imposed upon. Both Republicans and Democrats in the legislature have spoken to me of the bill in terms favorable to it, the formerly especially. One Republican said it should be passed without a dissenting vote."

ENDS HIS OWN LIFE.

Peter M. Betts, of Sedalis, a Forme M., K. & T. Engineer, Dies by Laudanum.

Peter M. Betts, of Sedalia, committed suiside yesterday in a room on the third floor of the rooming establishment at 1301 Grand avenue, by taking laudanum. His body terday afternoon, who went to his room and tried to awaken him. Deputy Coroner McNeil was notified and viewed the body. An empty phial that had contained laudanum was found in the stove in the room. The remains will be sent to Sedalia for health.

A stranger giving his name as John Sion was arrested yesterday afternoon by Detectives Bryant and Keshlear and was locked up at police headquarters for inves-tigntion. When searched at police headtigation. When searched at police head-quarters he had 750 pennies tied up in an old handkerchief. In the same package was found a piece of fuse that had been lighted and several small pieces of iron and steel which have the appearance of having come from an iron safe. Simon also had three or four packages of 1 and 2 cent postage stamps and a lot of underwear. He could not give a good account of himself and he will be held until the police can make a further investigation.

will be held until the police can make a further investigation.

The postage stamps were wrapped up in papers which bear the name of Neal, Kas., a small town on the Missouri Pacific road in Greenwood county. The police believe that the postoffice at Neal was robbed. Many of the pennies the prisoner had in his possession are bent and blackened and have the appearance of having been secured from a safe after an explosion. The contents of the handkerchief all have the appearance of having been hurriedly scooped up and dumped into the cloth. Simon will be held until the officers at Eureka, the county seat of Greenwood, can be heard from.

PEOPLE IN SOCIETY.

Miss Croysdale is visiting her sister, Mrs. Frank Logan, in St. Joseph. Mr. and Mrs. James M. Wilcoxen are at home at the Cordova after a two months' absence in California.

Mr. and Mrs. George E. Stokes, of To-peka, will attend the Matteson-Bowersock wedding Wednesday evening. The Matteson-Bowersock bridal party was entertained at dinner last evening by Mr. and Mrs. Fred S. Doggett.

Dr. and Mrs. William C. Boteler, Mrs. George McCreary and Mr. and Mrs. F. E. McCreary, former residents of this city, were among the reception at the White

Mr. and Mrs. C. A. Brockett left Sunday for New Orleans to attend "Mardi Gras." On their return journey, they will stay two weeks in Hot Springs, Ark.

Mrs. Arthur Grissom and little daughter accompanied Dr. and Mrs. Woods to Hot Springs. Ark. After a three weeks' stay, Dr. and Mrs. Woods will leave for Cuba, Mrs. Grissom returning home. Wedding and reception invitations engraved in correct form. Send for samples. Jaccard's, 1032 Main.

Was Short a Dollar Per Ton

There appeared in the Sunday issue of The Journal an advertisement for the Central Coal and Coke Company in which the celebrated "Bonanza" semi-anthracite coal was erroneously advertised at \$2.5 per ton; the price should have been \$4.5 per ton. It was a typographical error, and caused considerable annoyance to the Central Coal and Coke Company's employes, and incidentally proved to that firm, by the number of calls they received, that its "ads" in The Journal were pretty closely read.

Almost Free Photographs

Emery, Bird, Thayor vo. Emery, Bird, Thayor vo. Emery, Bird, Thayor 6.

KANSAS CITY, Feb. 7.-Yesterday's temperature: Max., 16; min., 10. To-day welook for fair and cold weather.

The Annual Sale of Silks will begin next Thursday. Spring novelties are dazzling-scarce any design or colorings that do not thrill you at once with admiration and praise. Various shades, tints and fancy colorings have been woven together in such a way as to produce unheard-of and surprising combinations that are bound to make the spring of '99 popular for its Siiks. All the styles for spring will be seen-the new novelties and all the latest Parisian fashions. With a word of caution we suggest that you be sure to see this beautiful collection of Silks on Thursday of this week, and watch the papers for further announcement with descriptions, etc.

# The Linen Sale

PROGRESSES.

An ideal sale-where quality of the highest character and values of merit can be secured in Linens at the lowest prices. are so large that almost a week of you can find plen-Our buyers thought right CIALS LOW IN PRICES. LINENS.

A feature of to-day will be the new lot of 2½ and 3 vard pattern Table Cloths that failed to arrive earlier. These cloths are worth \$5.00 and \$5.00. \$3 13 and \$3.75 Large variety of patterns to select from. Also for the extra wide tables 35 cloths 2½ yards wide, 3, 3½ and 4 yards long.

Our Linen Sale closes Thursday at 6 p. m. All sale goods not sold will be marked back to former prices.

They Fiz the Feet as Nature

Wear the

"JENNESS MILLER"

Hygienic Shoes. Many women stoop and become round-shouldered wearing ill-fitting

You can walk erect with free and easy strides and give a graceful poise to your whole body by wearing the comfortable, anatomically and hygienically constructed "Jenness Miller" Shoes.

No other dealer has them or their equal.

We are sole agents. Only \$3.50

Stylish, Shapely Shoes.

Many Women's Shoes of no better quality are sold in Kansas City for \$3.00 a pair. More than 10 styles, all the new toes, some made with stout soles for winter, some thinner soles for dress-kid and vesting tops, patent leather and kid tips, every size and width. Price, per pair. \$1.08

Extra quality, \$5.00.

New Spring Jackets and Capes.

The first arrival of Spring Jackets are on sale to-dayneat, jaunty, smart Jackets with the freshness of spring time. Diagonal dip front, beautifully tailored with all the newest touches of the custom tailors and their newest spring creations.

For \$10.98

Beautiful Covert Cloth Jackets, finished with lap seams, satin lining of same color, in all sizes, colors tan only.

For \$15.00 Tan Whipcord Jackets, fly diagonal dip front, flat back and lap seams, lined with plaid silk-a custom tailored Jacket, all sizes

For \$18.00 Tan Whipcord Jackets in a smart spring style, new 10-buttoned front, seams beau-tifully stitched, lined with stripe linings, all sizes. GOLF CAPES Suitable for wear at all times and at all seasons, made of the new-

\$6.98, \$10, \$10.98, \$15.



There'll be no abatement to-day. We are adding good things to the stock every day. The goods are new and fresh-every man that needs Shirts should profit by the prices that we've established for this sale. Unlaundered Shirts ......39e Laundered Patch Bosom Shirts. 39e

Laundered Colored Shirts......55c. 75c and \$1.00 Collars (newest shapes) 1/2 dozen for Cuffs (newest shapes) ½ dozen for Night Shirts, fancy trimmed.

A List of Books.

See what Books comprise the list—Marie Corelli's Works, in five volumes; Cooper's Sea Tales, in five volumes; Jules Verne's Popular Stories, in five volumes; the Works of The Duchess in five volumes; the Henty Books, a few of his best works.

No helter or more instructive books. few of his best works.

No better or more instructive books for boys.

Samuel Smiles' Works, four volumes,
These books are well printed, the
print is clear, paper and binding fair,
and for such a price are remarkable

Cashmeres and Apron Ginghams.

Five and a half cents will be well spent on some of these Cashmeres and Apron Ginghams that will be offered for sale on Bargain Counter to-day. 3,250 yards of Fleeced Cashmeres, early season's price 10c yard, to-day Apron Gingham (mill length), the kind that always sells at 7½c a yard, on Bargain Counter to-day for ...... 51/4e Night Gowns at 98c.



There are the best from the big assortment, comprising round, square and puff yokes, beautifully trimmed with lace and embroidery. Not mussed goods, but clean, fresh goods that will sell to-day at, each.....980 Also a special sale on the Mussed Underwear Tables of Corset Covers 6c and up Drawers 17c and up Gowns 39e and up Shirts 48c and up

Special Rug and Carpet



1 lot 9-ft.x12-ft. India Smyrna 

yard 53e

1 lot Tapestry Brussels Carpets, worth 55c, for, yard 65e

1 lot Body Brussels Carpet, worth 51.55, for, yard 11.00

1 lot Axminster Carpets, worth 51.25, for, yard 75e

1 lot Bigelow Axminster, worth 51.55, for, yard 51.25

We Advertise

Walnut C Grand Ave. 

Walnut.

**Tourist Sleeper** 

To California

Every Thursday via

the Burlington Route

and Grand Scenic Line across the Continent.

We also have tourist

sleeper accommoda-

tions for Portland. and the Northwest. Secure your berths

at Ticket Office, 823

Main Street

### TO BE QUEEN OF NEW ORLEANS MARDI GRAS.



Miss Ethel Miller, Who Has Been Chosen Oueen of the Coming Mardi Gras in New Orleans.

## WANT ANOTHER SOCIAL.

fanufacturers' Association Enthusiastic Over the Success of the Last One.

The members of the Manufacturers' Asso ciation are so enthusiastic over the success of their "card, catalogue and sample social" f a few nights ago that they want every body to enjoy similar benefits. So the di-rectors have issued a circular to the members telling of the similar event to take place on March 6, and urging each member o try to secure at least two new mem-pers before that date in order that the as-ociation ranks may be enlarged and the enefits of the meeting extended to as many

benefits of the meeting extended to as many as possible.

The board of directors of the association will meet to-night to take some action regarding the plan of testing the sugar beet question which has been mentioned in The Journal. The directors who have talked with Mr. Lunn all favor his project, and it seems probable to-night's meeting will arrange for an open public meeting to organize a National Sugar Beet Growers' Association to take hold of the project and push it to a successful completion, seeing to the raising of the 5.00 necessary for premiums, the distributing of information regarding the prizes and the culture of beets, and all of the details of the plan.

They Sell Both at Same Fares.

Agents of Western and Southwestern railways selling through St. Louis will furnish tickets to Philadelphia and New York over Vandalla-Pennsylvania Short Lines good via Washington at same fares as tickets over direct route from Harrisburg. Stopovers of ten days at Washington on tickets to Philadelphia and New York; also at Philadelphia on tickets to New York. For special information write J. T. FOLEY, Traveling Passenger Agent, Kansas City, Mo., J. M. CHESBROUGH, A. G. P. Agt., St. Louis.

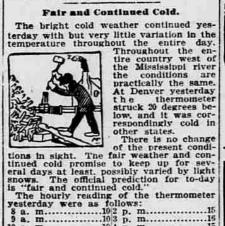
Through Pullman Tourist Sleeper to California via Burlington Route. Personally conducted, leaves Kansas City every Thursday, 10:40 a.m., via Denver and Salt Lake, through the beautiful moun-tain scenery of Colorado. Ticket office, \$23 Main street.

#### NOT AN ADEPT AT "STRINGING" Gustav Isanesohn Gets Into Trouble

While Assisting His Wife With a Clothesline.

Gustav Isaacsohn, an employe of Armour's packing house, went out into the yard in the rear of his home at 1222 Summit street yesterday morning to assist his wife in "stringing" a clothes line on which to hang the family washing. Like which to hang the family washing. Like most men, Isaacsohn is somewhat awkward. He climbed upon a chair to drive a nall in a post. The chair slipped and Isaacsohn was thrown to the ground with considerable force. He received a severe cut an inch long over the left eye and he had to loge a half day's time in undergoing repairs at the hands of Assistant Police Surgeon Manahan.

Fair and Continued Cold.



Three Times a Week. The California Limited, via Santa Fe Route. Finer and faster than ever.

EARLSWOOD BLACKWOOD